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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/472,910	12/27/1999	MICHAEL C. G. LEE	71493-639	9364	
33000 7	590 09/25/2006	·	EXAMINER		
DOCKET CLERK			NGUYEN, QUYNH H		
P.O. DRAWER 800889 DALLAS, TX 75380			ART UNIT	PAPER NUMBER	
			2614		
			DATE MAILED: 09/25/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
Office Action Summary		09/472,910	LEE, MICHAEL C. G.				
		Examiner	Art Unit				
	,	Quynh H. Nguyen	2614				
-	The MAILING DATE of this communication app			_			
Period fo							
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DANSIONS of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory period we are to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status			•				
1)	Responsive to communication(s) filed on remain	rks filed 7/3/06					
, —		action is non-final.					
·	☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under E						
Dispositi	ion of Claims						
4)⊠	4)⊠ Claim(s) <u>2-7 and 37-50</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)	5) Claim(s) is/are allowed.						
	6)⊠ Claim(s) <u>2-7 and 37-50</u> is/are rejected.						
7)	Claim(s) is/are objected to.						
8)□	Claim(s) are subject to restriction and/or	election requirement.					
Applicati	ion Papers						
9)□	The specification is objected to by the Examiner	ſ.					
10)	The drawing(s) filed on is/are: a) acce	epted or b) objected to by the E	Examiner.				
	Applicant may not request that any objection to the o	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).				
	Replacement drawing sheet(s) including the correction	on is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).				
11)	The oath or declaration is objected to by the Exa	aminer. Note the attached Office	Action or form PTO-152.				
Priority ι	ınder 35 U.S.C. § 119		·				
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>							
2)  Notic 3) Infor	t(s)  e of References Cited (PTO-892)  e of Draftsperson's Patent Drawing Review (PTO-948)  mation Disclosure Statement(s) (PTO/SB/08)  r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	te				

#### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

## Response to Amendment

2. Applicant's remarks filed 07/03/06 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 2-7 and 37-50 are still pending in this application, with claims 2, 37, and 45 being independent.

## Claim Rejections - 35 USC § 103

3. Claims 2-7 and 37-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonesh et al. (U.S. Patent 6,046,762) in view of Shaheen et al. PCT/US98/06859).

As to claims 2, 37, and 45, Sonesh et al. teach an automatic call distribution (ACD) controller arranged to be coupled through at least one packet-based network (Fig. 1, 112) to a plurality of remote telephone stations (Fig. 1, remote agent workstations) and one or more attendant telephone stations (Fig. 1, 127), the ACD controller comprising call reception logic (col. 6, lines 3-5) that controls the establishment of telephone sessions between the remote telephone stations (Fig. 1, remote agent workstations) and the one or more attendant telephone stations (Fig. 1, 127); wherein the call reception logic operates to receive call initiation signals from a particular one of the remote telephone stations (col. 7, lines 58-61); to monitor if an

attendant availability parameter is met (col. 10, lines 58-61); if the attendant availability parameter is not met, to send at least one data information message to the particular remote telephone station via the at least one packet-based network (col. 10, lines 58-61); and, if the attendant availability parameter is met, to establish an audio channel between the particular remote telephone station and a particular one of the attendant telephone stations (col. 11, lines 3-6).

Sonesh et al. do not specifically teach querying the capabilities of the remote telephone station prior to sending the data information message, a format for the data information message being determined based upon the capabilities of the remote telephone station.

Shaheen et al. teach querying the capabilities of the remote telephone station (subscribing unit) prior to sending the data information message, a format for the data information message being determined based upon the capabilities of the remote telephone station (Abstract; page 1, background lines 2-5; page 3, lines17-19; page 4, lines 40-55; page 6, lines 9-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Shaheen into the teachings of Sonesh in order to provide accurate information to the caller in the correct format, and to perform the callers' requested actions reliably by sending the callers the formatted data information message based upon the capabilities of the callers' telephone station. This is analogous to the old and well-known handshake process between two communication components prior to establishing communication. For example,

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facsimile machines perform the handshake process to determine the capabilities of the machine (e.g., speed) prior to communicating.

As to claims 3, 38, and 46, Sonesh et al. teach the at least one packet-based network is an Internet Protocol (IP) network and the data information message is transmitted within an IP packet (col. 10, lines 50-58).

As to claims 4, 39, and 47, Sonesh et al. teach the call reception logic further operates to determine a waiting parameter (expected wait time col. 10, line 60) to be presented to a user at the particular remote telephone station, the data information message comprising waiting parameter (col. 10, lines 59-61).

As to claims 5-6, 40-41, and 48-49, Sonesh et al. teach the length of the queue and expected wait time are displayed on the caller's computer (col. 10, lines 58-61) reads on claimed "... the waiting parameter comprises a number corresponding to an order ..." and "... an estimate of the time before the attendant availability parameter will be met".

As to claims 7, 42, and 50, Sonesh et al. teach the call reception logic further operates to update the waiting parameter periodically until the attendant availability parameter is met and to send further data information signals comprising updated waiting parameters to the particular remote telephone station via the packet-based network until the attendant availability parameter is met (col. 11, lines 1-4).

As to claim 43, Sonesh et al. teach the packet network comprises a local area network coupling the ACD controller and the one or more attendant telephone stations (Fig. 1, LAN 113, ACD minicomputer).

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As to claim 44, Sonesh et al. teach an ACD center comprising one or more attendant console devices (Fig. 1, 125), each of the one or more attendant console devices associated with one of the one or more attendant telephone stations (Fig. 1; col. 6, lines 48-49).

#### Response to Arguments

- 4. Applicant's arguments filed 07/03/06 have been fully considered but they are moot in view of new ground(s) of rejections. New reference Shaheen et al. (PCT/US98/06859) is introduced in this office action that published Oct. 15, 1998 which is more than one year from the instant applicant filing date of 12/27/1999.
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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ahn Quyuh Najuyen Quynh H. Nguyen

September 15, 2006